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SUBJECT: INSTITUTE FOR DEMOCRACY AND HUMAN RIGHTS GIVES GREEN LIGHT
TO COOPERATION WITH USAID

REF: A. ASHGABAT 1120

[1](#)B. ASHGABAT 1130

[1](#)C. ASHGABAT 1079

[1](#)1. (U) Sensitive but unclassified. Not for public Internet.

[1](#)2. (U) SUMMARY: On December 7, the Director of the Institute of Democracy and Human Rights under the President of Turkmenistan told a delegation led by Deputy Assistant Secretary (DAS) for Democracy, Human Rights, and Labor (DRL) Erica Barks-Ruggles that a commission established on November 22 will review all laws in Turkmenistan for their conformity with international standards, and that in this context USAID's recent proposal to work on the NGO law was "timely" (reftel A). The Institute's director also said that she had submitted her response to USAID's recent proposal for cooperation (reftel B) to the Ministry of Foreign Affairs the day before the meeting, and that she was ready to cooperate with USAID in a variety of areas. When pressed by DAS Barks-Ruggles for specifics, she listed such areas as preparing a database of legislation, undertaking study tours to learn from other countries' experience, distributing legal information throughout the country, organizing an international conference on NGO law, and receiving trainings on internet usage. When asked for movement on "prisoners of concern", the Institute director stated that she had just met with the International Committee for Red Cross/Red Crescent (ICRC)'s regional director, and that she expected "good future cooperation" on this issue with ICRC. Internet access remains a challenge, Ahmedova admitted, noting that her own Institute has yet to receive access. END SUMMARY.

INSTITUTE'S ROLE "RAISED TO A NEW LEVEL" BY BERDIMUHAMEDOV

[1](#)3. (U) A delegation led by DRL DAS Erica Bark-Ruggles met with Shirin Ahmedova, the Director of the Turkmen National Institute of Democracy and Human Rights on December 7 to discuss opportunities for new cooperation in areas of mutual interest. The Institute director began with an overview of the Institute's history, and its new responsibilities since President Berdimuhamedov's inauguration. She noted the announcement of a commission - of which she is a member - established on November 22 to review all existing legislation for conformity with international law. As a result, the recent proposal by USAID partner International Center for Not-for-Profit Law (ICNL) to jointly organize an international

seminar on the NGO law was "timely," she said.

14. (U) DAS Barks-Ruggles outlined the USG's willingness to cooperate with Turkmenistan on democracy and human rights issues. Recounting a meeting from the previous day with local NGO and community leaders, she stressed the importance of a good regulatory environment for civic organizations, and cooperation by the government with them. Ahmedova said that the new commission will review all laws in Turkmenistan, including that for NGOs. She stated that in the regulatory vacuum in post-independence Turkmenistan, the country took laws from many places, including 1969 laws from the Soviet Union. As a result, she could not say that any of the current laws are up to international standards. In her role as both the Institute's director and member of the commission that will review the laws, she said that existing laws can always be improved. As part of a long-term, step-by-step effort, cooperation with accredited international organizations will help Turkmenistan to achieve this goal. Ahmedova noted that the commission planned to work with the UNDP on reforming the electoral law and that there were also discussions about improving NGO legislation, the rights of children, the Family Code, and the Civil Code. She remarked on the need to improve juvenile justice, to harmonize the age of adulthood throughout the legal code, and to reform the role of the prosecutor. Ahmedova repeated a comment made in previous meetings that Turkmenistan is "not afraid of criticism" but insisted that any criticism should be made with the intent to improve legislation.

REPLY TO USAID PROPOSAL ALREADY SENT TO MFA FOR APPROVAL

15. (U) Ahmedova said that she had sent a response to the MFA to USAID proposals for cooperation that morning, and DAS Barks-Ruggles asked Ahmedova to share details of her response. Ahmedova said her first priority is to prepare a database of all Turkmeni legislation, since the Institute is the place where specialists and others should be able to access this information. Next, she suggested exchanges

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to see other countries' experience in supporting democratic development would be useful. Distributing information on laws in Ashgabat and the regions would increase access to legal information.

The suggestion by USAID/ICNL to conduct conferences on NGO legislation and training on using the internet were other possible areas for cooperation. Ahmedova said that she was "very positive" about cooperation with USAID, and "these are not the only areas." She noted that she wanted to sit down with USAID/Ashgabat as soon as appropriate bureaucratic steps had been taken inside the GOTX to plan for 2008.

16. (U) Ahmedova stressed the importance of avoiding duplication among donors. In this regard, she viewed the Institute as playing a coordinating role among donors in the future. DAS Barks-Ruggles stressed the USG's interest in working with the Institute to raise Turkmenistan's ability to meet international standards on human rights, political reform and other treaty obligations as Ahmedova had outlined. Recognizing that the Institute is already working with UNDP and OSCE on elections, the USG remains ready for cooperation that would help the Government of Turkmenistan work on this basis towards the 2008 parliamentary elections.

INSTITUTE TO COOPERATE WITH ICRC ON PRISONERS OF CONCERN

17. (U) On "prisoners of concern." DAS Barks-Ruggles encouraged Ahmedova to look at how the international community has dealt with prison conditions, criminal prosecution, and protection of human rights and to consider how it might reach international standards in this area. The USG is ready to assist in this process. Ahmedova replied that shortly after his inauguration, on February 19, President Berdimuhamedov established a commission to review citizens' complaints against law enforcement bodies. As a result, eleven people were released from prison in July. The presidential decree in October led to the release of almost 9,000 prisoners. (NOTE: The release in October was an annual release of prisoners for Ramadan. While a handful of prisoners of concern were included in this release, many civil society interlocutors stressed throughout the visit that the vast majority of those released were let go due to substantial bribes paid by their families - not due to

recommendations from the commission. END NOTE.) Going forward, the Institute gave German experts a draft of the Criminal Procedure Code to review and will also review the existing corrections and labor code, which dates to Soviet times. Turkmenistan's intergovernmental commission on complying with international conventions, of which Ahmedova is a member, is pushing for the government to file required reports on the Convention Against Torture (CAT) and the International Convention on Civil and Political Rights (ICCPR).

¶8. (U) DAS Barks-Ruggles noted the importance of working with groups like the ICRC on these issues. Ahmedova replied that she had just met with the ICRC's regional director, and that she expected "good future cooperation" on this issue.

¶9. (U) When DAS Barks-Ruggles noted the importance of expanding access to the Internet and noted U.S. willingness to cooperate on this issue, Ahmedova stated that it was a top priority for the president and that she hoped IDHR itself could get access to the Internet soon.

¶10. (U) COMMENT: This meeting highlighted Institute Director Ahmedova's constructive approach to cooperation with international organizations. She, alone among all the government interlocutors with whom the delegation met, was willing to commit to moving forward with some specific cooperation efforts. Her recognition of the value of working with multiple bilateral and multilateral experts showed a savvy understanding of the need to mitigate the risk of being accused of being in the pocket of any one outside donor. She also demonstrated a more comprehensive and cogent vision than other government interlocutors for possible ways to make incremental progress on difficult human rights and democracy issues. Her views coincided to a certain extent with the much more detailed analysis and vision the delegation received from NGOs both on problems and challenges, and on possible steps forward. From her comments, it appears that the Institute is willing to accept significant portions of USAID's recent proposal for cooperation and that additional opportunities remain on the horizon. Post eagerly awaits the Institute's reply through official MFA channels, and will continue to seek further concrete opportunities to engage in the

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future. END COMMENT.

¶11. (U) DAS Barks-Ruggles has cleared this cable.

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